

Appl. Ser. No. 09/292,552

**REMARKS**

This Amendment responds to the Office Action of August 10, 2004.

Claims 1-90 have been cancelled without prejudice. In particular, claims 1-7, 34-47, and 53-70 had been withdrawn as being subject to a restriction requirement, and therefore all cancelled claims directed to a non-elected invention are cancelled without prejudice to being presented in a divisional application. New claims 91-133 are now presented and are pending in this application. Claims 91, 99 and 125-131 are independent. Favorable reconsideration is requested.

In the August 10, 2004 Office Action, Claims 8-19, 21-29, 31, 32, 48, 49, 51 and 52 were rejected under 35 U.S.C. § 103(a) as being obvious over Minton (U.S. Patent No. 6,014,643) in view of an article from the Dialog database entitled "Hambrecht & Quist Selects Stratus, TCAM For On-Line Brokerage Application" (hereinafter "Dialog"). Claims 20, 30 and 33 were rejected under 35 U.S.C. § 103(a) as being obvious over Minton and Dialog as applied to claims 19 and 29, in further view of Tull Jr. (U.S. Patent No. 6,092,056).

As shown above, Applicants have cancelled all the prior claims 1-90 without prejudice. Applicants respectfully submit that new independent claims 91, 99 and 125-131, together with the remaining claims respectively dependent thereon, are patentably distinct from the cited prior art for the following reasons.

Appl. Ser. No. 09/292,552

New claims 91-133 are directed to aspects of the present invention related to the presentation of information in a manner that enables a trader of securities to trade more quickly, efficiently, and accurately. In particular, presenting information using an ergonomic graphical user interface according to the present invention enables faster access to critical information, faster execution of primary trading functions, better decisionmaking in the trading process, fewer undetected errors, easier correction of detected errors, faster and more reliable problem resolution and provides other advantages over the cited prior art.

Minton is directed to a system which allows individuals to trade stocks electronically, directly with other individuals who are not brokers, specialists, or market makers. (Minton, Col. 1, l. 9-10.) The trading screen of the system in Minton, shown in Fig. 4 of Minton, displays information in a single window that includes offers to buy 425, offers to sell 432, time and sales data 433, a time and sales graph 434, and other buttons that allow the display of other information in different windows, such as screens where users can enter buy and sell orders and receive research or news information about a stock of interest. (See generally Minton, Col. 8, l. 29 – Col. 12, l. 53.) For example, activating button 404 displays pricing screen 500 of Fig. 5 of Minton; activating button 418 displays buy screen 600 of Fig. 6; and activating button 424 displays sell screen 700 of Fig. 7. Thus, the user of the system in Minton is unable to view simultaneously the information in the screens depicted in Figs. 4, 5, 6, and 7. There is other information relevant to making trade decisions that user of the system in Minton can obtain only by

Appl. Ser. No. 09/292,552

opening multiple windows. The user of the system in Minton faces the disadvantage of having to store certain information obtained from a particular window and then toggling back and forth between multiple windows, keep information from previously viewed windows in short term memory in order to make informed trading decisions. As a result, the user of the system of Minton trades with lower efficiency, slower speed (due to the time spent toggling back and forth between windows), and less accuracy (due to having to commit information to short-term memory under stressful conditions in a rapidly moving market).

The article from the Dialog database is a press release that describes a system and software for trading of stocks that Hambrecht & Quist ("H&Q") purchased in 1987, which according to the press release offers "customers real-time, on-line access to over-the-counter (OTC) securities trades" and provides "[k]ey OTC trading functions including order entry and validation, automatic trade execution, real-time NASDAQ price feeds, open order file, and real-time position update and monitoring." The article does not provide details on how the system and software discussed in the article worked or displayed information to users of the system and software. For example, the article does not indicate whether all of the trading functions described in the article were made available to a user in a single screen or whether any of the information was displayed in a graphical format that is easier to read more quickly as opposed to a format that is solely alphanumerical.

Appl. Ser. No. 09/292,552

Tull Jr. is directed to a data processing system and method for implementing and controlling specific financial instruments that are based on an underlying basket of stocks optimally selected to track an established market, periodically evaluating the performance of the instruments, and reporting the price of the instruments to customers who have purchased the instrument. (Tull Jr., Abstract.) The system of Tull Jr. is not a system for trading securities or a computer program for providing a graphical user interface which facilitates security trading by a user.

Individually and in combination, Minton, the Dialog article, and Tull Jr. do not disclose, teach, or suggest computer executable instructions residing on a computer readable medium for causing a workstation of a user to display a graphical user interface, the interface comprising: a first display area of sizes for a plurality of buy orders for a security selected by the user; a second display area of sizes for a plurality of sell orders for the security; and a third display area showing a single list of price levels that correspond to prices for the buy orders in the first display area and the sell orders in the second display area as recited in claim 91.

Individually and in combination, Minton, the Dialog article, and Tull Jr. do not disclose, teach, or suggest a computer program for providing a graphical user interface which facilitates security trading by a user by providing a single-screen simultaneous display of non-overlapping screen components comprising: (a) a display of the user's current position in at least one security, (b) a display of an open order list of the user, (c) a display of a trade ticket, (d) a display of offers to buy and offers to sell at least one

Appl. Ser. No. 09/292,552

security as recited in claim 99. For example, the prior art does not disclose, teach, or suggest a single-screen simultaneous display of non-overlapping screen components that includes a trade ticket with the other elements recited in Claim 99.

Individually and in combination, Minton, the Dialog article, and Tull Jr. do not do not disclose, teach, or suggest a graphical display of bid, ask, and spread information as recited in claims 101, 102, 106, 107, 111, 112, 116, 117, 121, and 122. They also do not disclose, teach, or suggest that screen components are windows that can be individually removed and reinstated within the single-screen simultaneous display as recited in claims and that the size of the windows can be changed individually within the single-screen simultaneous display as recited in claims 103, 104, 108, 109, 113, 114, 119, 120, 123, and 124.

Individually and in combination, Minton, the Dialog article, and Tull Jr. do not disclose, teach, or suggest a computer program, wherein the single-screen simultaneous display of non-overlapping screen components further comprises a display of a watch list of securities selected by the user as recited in claim 106, a display of information that includes the user's balance and profit and loss as recited in claim 110.

Individually and in combination, Minton, the Dialog article, and Tull Jr. do not disclose, teach, or suggest a computer program of claim 101, further comprising means for pre-filling at least some information in the trade ticket as recited in claim 115. They also do not disclose, teach, or suggest an article of manufacture with the elements recited in claims 126-130.

Appl. Ser. No. 09/292,552

Individually and in combination, the cited prior art also does not do not disclose, teach, or suggest the elements recited in claims 131-133.

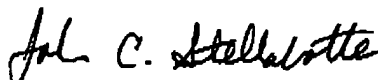
Applicants have found nothing in the other prior art of record that would remedy the above-noted deficiencies of the prior art as references against the new claims.

Appl. Ser. No. 09/292,552

**Conclusion**

In light of the foregoing amendments and remarks, Applicants respectfully submit that claims 91-133 are patentably distinct over the prior art of record, that the application is in proper form for allowance of all claims, and earnestly solicit a notice to that effect.

Respectfully submitted,

PROSKAUER ROSE LLP  
Attorneys for ApplicantsBy   
John C. Stellabotte  
Reg. No. 47,969

Date: January 14, 2005

PROSKAUER ROSE LLP  
1585 Broadway  
New York, NY 10036-8299  
Telephone: (212) 969-3000